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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/727,135	12/02/2003	Mark Allen Freskos	50325-0845 (Seq. No. 8504)	5336
29989 7590 04/19/2007 HICKMAN PALERMO TRUONG & BECKER, LLP 2055 GATEWAY PLACE SUITE 550 SAN JOSE, CA 95110			EXAMINER SHIN, KYUNG H	
			ART UNIT 2143	PAPER NUMBER

SHORTENED STATUTORY PERIOD OF RESPONSE	MAIL DATE	DELIVERY MODE
3 MONTHS	04/19/2007	PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

If NO period for reply is specified above, the maximum statutory period will apply and will expire 6 MONTHS from the mailing date of this communication.

Office Action Summary	Application No. 10/727,135	Applicant(s) FRESKOS, MARK ALLEN	
	Examiner Kyung H. Shin	Art Unit 2143	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 02 December 2003.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-20 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-20 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)
Paper No(s)/Mail Date <u>3/18/04</u> . | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

1. This action is responding to application papers filed 12/2/2003.
2. Claims 1 - 20 are pending. Independent claims are 1, 4, 5, 6, 9, 10, 11, 14, 15, 16, 19, 20.

Claim Rejection - 35 USC § 102

3. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

4. Claims 1 - 20 are rejected under 35 U.S.C. 102(e) as being anticipate by **Shafer et al.** (US Patent No. 7,072,946).

Regarding Claim 1, Shafer discloses a method for processing XML requests on a router, the method comprising the machine implemented steps of

- a) receiving, at a router from a client, an XML request to perform an operation on management data maintained in a database by the router; (see Shafer col. 1,

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lines 49-55; col. 2, lines 10-13: management request received at router, XML formatted request)

- b) parsing the XML request to identify one or more XML elements contained in the XML request; (see Shafer col. 2, lines 15-23: parse XML request)
- c) generating one or more data requests based upon the one or more XML elements contained in the XML request; (see Shafer col. 2, lines 59-65: convert request to device command) and
- d) processing the one or more data requests against the management data maintained in the database by the router. (see Shafer col. 2, lines 5-9; col. 2, lines 25-28: process request based on XML request)

Regarding Claim 2, Shafer discloses the method as recited in Claim 1, wherein the step of

- a) parsing the XML request to identify one or more XML elements contained in the XML request includes identifying one or more XML tags contained in the XML request (see Shafer col. 2, lines 21-23; col. 2, lines 59-65: parse XML request, utilize XML tags) and the step of
- b) generating the one or more data requests based upon the one or more XML elements contained in the XML request includes generating the one or more data requests based upon the one or more XML tags contained in the XML request. (see Shafer col. 2, lines 15-20: generate based on XML tags)

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Regarding Claim 3, Shafer discloses the method as recited in Claim 1, further comprising the machine implemented step of generating an XML response based upon processing the one or more data requests against the management data maintained in the database by the router. (see Shafer col. 1, lines 49-55; col. 3, lines 58-66: response replies received in XML format)

Regarding Claim 4, Shafer discloses a method for processing XML requests on a router, the method comprising the machine implemented steps of:

- a) receiving, at a router from a client, an XML request to perform an operation on management data maintained in a database by the router; (see Shafer col. 2, lines 21-28; col. 2, line 30-34: XML request, management information in database)
- b) parsing the XML request to identify one or more XML tags contained in the XML request; (see Shafer col. 2, lines 15-20; col. 2, lines 21-23: parse XML message)
- c) identifying one or more management data items in the management data that are associated with the one or more XML tags; (see Shafer col. 2, lines 15-20: identify information associated with XML tags)
- d) generating one or more operations to be performed on the one or more management data items; (see Shafer col. 2, lines 59-65: convert to device command)
- e) processing the one or more operations against the one or more management data items maintained in the database; (see Shafer col. 2, lines 21-28; col. 2,

lines 30-34: process requested operation based on associated data in database)
and

- f) generating and XML response and sending the XML response to the client. (see Shafer col. 3, lines 58-66; col. 2, lines 21-23: request processed, XML response generated)

Regarding Claim 5, Shafer discloses a method for generating schema data used by a router to process XML requests, the method comprising the machine implemented steps of

- a) receiving schema definition data that defines both a hierarchical data model used by the router and an XML interface used by client to generate XML requests for the router; (see Shafer col. 3, lines 20-29: schema definition information utilized for XML request/response interface)
- b) processing the schema definition data to generate processed schema definition data; (see Shafer col. 3, lines 41-44: process data utilizing schema information)
and
- c) storing the processed schema definition data on the router. (see Shafer col. 3, lines 25-29; col. 8, lines 30-32: router database, configuration information storage)

Regarding Claim 8, Shafer discloses the machine readable medium as recited in Claim 6, further comprising one or more additional instructions which, when executed by the

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one or more processors, cause the one or more processors to perform the step of generating an XML response based upon processing the one or more data requests against the management data maintained in the database by the router. (see Shafer col. 6, lines 24-27: processor(s); col. 3, lines 58-66: request processed, XML response generated)

Regarding Claim 17, Shafer discloses the apparatus as recited in Claim 16, further comprising means for identifying one or more XML tags contained in the XML request and means for generating the one or more data requests based upon the one or more XML tags contained in the XML request. (see Shafer col. 2, lines 15-20: XML tags utilized to parse request and generate commands)

Regarding Claim 18, Shafer discloses the apparatus as recited in Claim 16, further comprising means for generating an XML response based upon processing the one or more data requests against the management data maintained in the database by the router. (see Shafer col. 3, lines 41-44; col. 3, lines 58-66: XML response generated)

Conclusion

5. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Kyung H. Shin whose telephone number is (571) 272-3920. The examiner can normally be reached on 9:30 am - 6 pm.

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If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, David A. Wiley can be reached on (571) 272-3923. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

KHS

Kyung H Shin
Patent Examiner
Art Unit 2143

KHS
April 15, 2007


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